

BCC – 1000 IMPLEMENTATION NOTES (IMPs) as of August 29, 2012

IMP 001 - Drug Tests

Until July, 2012, the Delaware law for facilities required as part of the hiring process that each facility send DLTCRP a copy of the drug test report on each new employee.

That law changed. The law now says that DLTCRP must receive **confirmation of the drug test**. It is no longer necessary to send DLTCRP the actual results.

Starting immediately, facilities need only e-mail the Division at Drugtestconfirm@state.de.us .

The Subject line of the e-mail must contain 1) the name of the employee and 2) the date of the drug test.

The text of the e-mail must state:

Prior to employing the individual named in the subject line of this message, a drug test was obtained. The test results are on file and available for inspection.

Sender's name

Sender's employer

Telephone number

IMP 002 - Master List

A key component of the BCC is the Master List. The Master List includes every employee whose employer is a part of the BCC. The Master List is necessary for the Rap-Back, the continuous process which informs DLTCRP about post-hire arrests and convictions.

Two groups of people have to be brought into the Master List:

First, the “Grandfathered” personnel—those who were already working when the criminal background check statute was enacted; and

Second, the people hired after the criminal background check statute came into effect and already have fingerprints on file.

A “Grandfathered” person is a current employee who was employed by your organization prior to March 31, 1999 for long term care facilities and July 1, 2001 for all others. That person would not have been included in the statute which required criminal background checks. Consequently, that person does not have fingerprints on file, with an associated State Bureau of Investigation (SBI) number. The new law requires that all Grandfathered persons be fingerprinted so they have an SBI number and can be included in the Rap-Back. No criminal background check will be conducted on Grandfathered persons.

DLTCRP needs to know the NUMBER of individuals currently on your staff who were working prior to March 31, 1999 or July 1, 2001. Names are not necessary **at this time**—just the count. This is needed because all Grandfathered persons are required to go to the State Bureau of Identification and be fingerprinted within 120 days of the start of the BCC. We need an accurate count so that SBI can develop a schedule to accommodate all Grandfathered persons.